

EXHIBIT C

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
19 CVS 012667

REBECCA HARPER, *et al.*)
Plaintiffs,)
)
v.)
)
Representative DAVID R. LEWIS,)
in his official capacity as Senior)
Chairman of the House Standing)
Committee on Redistricting, *et al.*,)
Defendants.)

ORDER

THIS MATTER comes before the undersigned three-judge panel upon its own motion pursuant to its inherent authority and discretion to manage proceedings before the Court.

Plaintiffs in this litigation challenge the congressional districts established by an act of the North Carolina General Assembly in 2016, N.C. Sess. Laws 2016-1 (hereinafter S.L. 2016-1), claiming the districts violate the rights of Plaintiffs and all Democratic voters in North Carolina under the North Carolina Constitution.

On October 28, 2019, this Court granted Plaintiffs' motion for a preliminary injunction, enjoining Legislative Defendants and State Defendants from preparing for or administering the 2020 primary and general elections for Congressional Representatives under the 2016 congressional districts established by S.L. 2016-1. Plaintiffs seek to permanently enjoin the future use of the 2016 congressional districts and have filed a motion for summary judgment, scheduled to be heard on December 2, 2019.

In this Court's October 28, 2019, Order granting the preliminary injunction, the Court noted that summary judgment or trial may not be needed in the event the General Assembly, on its own initiative, acted immediately and with all due haste to enact new

congressional districts. The Court suggested the General Assembly proceed in a manner that ensured full transparency and allowed for bipartisan participation and consensus that would result in congressional districts more likely to achieve the constitutional objective of allowing for those elections to be conducted more freely and honestly to ascertain, fairly and truthfully, the will of the people. On November 15, 2019, new congressional districts were established by an act of the General Assembly. N.C. Sess. Laws 2019-249 (hereinafter S.L. 2019-249). Shortly thereafter on November 15, 2019, Legislative Defendants filed a motion for summary judgment arguing Plaintiffs' present action—challenging the constitutionality of S.L. 2016-1—is moot, and Plaintiffs filed a response and motion for expedited review of the newly-enacted congressional districts.

Section 163-106.2 of our General Statutes provides that “[c]andidates seeking party primary nominations for the following offices shall file their notice of candidacy with the State Board no earlier than 12:00 noon on the first Monday in December and no later than 12:00 noon on the third Friday in December preceding the primary: . . . Members of the House of Representatives of the United States.” N.C.G.S. § 163-106.2(a). In the Court’s October 28, 2019, Order, the Court retained jurisdiction to adjust the State’s 2020 congressional primary elections should doing so become necessary to provide effective relief in this case. In light of the recent developments in this litigation, including the enactment of S.L. 2019-249, Legislative Defendants’ motion for summary judgment, and Plaintiffs’ motion for the Court’s review of S.L. 2019-249, and to allow the Court sufficient opportunity to fully consider the significant issues presented by the parties, the Court will enjoin the filing period for the 2020 congressional primary elections in North Carolina until further order of the Court.

Accordingly, the Court, in its discretion and pursuant to its inherent authority, hereby ORDERS that:

1. On the Court's own motion, the filing period provided by N.C.G.S. § 163-106.2(a) is hereby enjoined for only the 2020 congressional primary elections, and the North Carolina State Board of Elections shall not accept for filing any notices of candidacy from candidates seeking party primary nominations for the House of Representatives of the United States until further order of the Court.
2. Any party to this action may respond to Plaintiffs' motion for review of the newly-enacted congressional districts, S.L. 2019-249, by submitting a response brief to the Court by 11:59 p.m. on November 22, 2019, in the manner set forth in the Case Management Order. Plaintiffs shall have until 11:59 p.m. on November 26, 2019, to submit a reply to any response brief in the manner set forth in the Case Management Order.
3. The Court's November 1, 2019, Order establishing a briefing schedule for summary judgment motions remains in effect.
4. The following will be heard by the Court at 9:00 a.m. on December 2, 2019:
 - a. Plaintiffs' motion for summary judgment;
 - b. Legislative Defendants' motion for summary judgment; and,
 - c. Plaintiffs' motion for review of S.L. 2019-249.

SO ORDERED, this the 20th day of November, 2019.

/s/ Paul C. Ridgeway

Paul C. Ridgeway, Superior Court Judge

/s/ Joseph N. Crosswhite

Joseph N. Crosswhite, Superior Court Judge

/s/ Alma L. Hinton

Alma L. Hinton, Superior Court Judge